

MARION CONSERVATION COMMISSION

MINUTES OF THE REGULAR MEETING HELD ON December 22, 2021

Members present via

Zoom: Shaun P. Walsh, Chair (in person at the Marion
Police Station)
Marc Bellanger, Vice Chair
Jeff Doubrava, Member
Emil Assing, Associate Member

Members Absent: Ethan Gerber

Admin. Assistant: Terri Santos (in person at the Marion Police Station)

Present via Zoom: Dave Davignon, Gregg Drake, Tom Ryan.

Meeting convened at 7:00p.m on Wednesday December 22, 2021 at the
Marion Police Station via Zoom and closed to the public. This meeting was
live streamed and video recorded by Old Rochester Community Television
(ORCTV) and audio recorded by the Town of Marion. For any residents
watching the live stream on ORCTV a phone number was provided for any
questions or comments.

ACTION ITEMS:

Request for Certificates of Compliance for Assessors Map 24A, Lot 39 – S.
Walsh noted that Tom Ryan, Attorney for the seller, Marion Lands Trust,
LLC was present. J. Doubrava motioned to issue a partial release of the
Certificate of Compliance, Lot B of SE 041-1145, M. Bellanger seconded;
S. Walsh, J. Doubrava, and M. Bellanger voted to approve as motioned.

Request for Certificate of Compliance for Assessors Map 24A, Lot 39– J.
Doubrava motioned to issue invalid order of conditions Certificate of

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34 Compliance SE 041-1205, M. Bellanger seconded; S. Walsh, J. Doubrava,
35 and M. Bellanger voted to approve as motioned.

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37 Comments to the ZBA – Jay Flanagan, 26 West Avenue – Property is in
38 jurisdiction and an Order of Conditions had been issued.

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40 Comments to the ZBA – Terrence & Kym Lee, 43 Holmes Street – Site is
41 within jurisdiction.

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43 Reorganization Clerk - Motion made by S. Walsh to nominate J. Doubrava
44 as Clerk, M. Bellanger seconded; S. Walsh, J. Doubrava, and M. Bellanger
45 voted to approve as motioned.

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47 HEARINGS/APPOINTMENTS:

48 Public Hearing – Arthur Solomon, 538 Point Road Map 6, Lot 38 – Notice
49 of Intent DEP SE 041-1380 proposing to add additional patio area with an
50 outdoor kitchen that is within the VE flood zone and partially within the
51 100' buffer of the coastal beach that is part of Blankenship Cove. S. Walsh
52 read the legal notice into the record.

53

54 S. Walsh noted that Gregg Drake was present to represent and they
55 submitted revised plans to the Commission. G. Drake explained that he
56 would that he would submit a hard copy of the revised plan to the
57 Commission and continued to provide a brief overview of the project. S.
58 Walsh asked the Commission for questions.

59

60 J. Doubrava expressed concern that the walls around the kitchen look as
61 though it is a fixed vertical wall in a velocity zone and blow out walls may
62 be required. After discussion, the consensus of the Commission was that
63 it is not a concern because of the existing seawall and it looks as though
64 any wave energy would be directed at the homeowners' property.

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65 M. Bellanger motioned to close the public hearing, J. Doubrava seconded;
66 S. Walsh, J. Doubrava and M. Bellanger voted to close as motioned.

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68 CORRESPONDENCE: Letter to Dennis Lynch, 173 Wareham Street – S.
69 Walsh explained that the commission visited the site and it looked like
70 what had been done was not jurisdictional.

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72 ANY OTHER MATTERS TO COME BEFORE THE COMMISSION: S. Walsh
73 explained that there was an Emergency Certification to fix a leaking fire
74 hydrant across from 50 Point Road, which Commission Agent Doug Guey-
75 Lee issued. Motion made by J. Doubrava to approve the Emergency
76 Certification, seconded by M. Bellanger; S. Walsh, J. Doubrava and M.
77 Bellanger voted to approve as motioned.

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79 APPROVAL OF MINUTES: Motion made by J. Doubrava to approve the
80 minutes of December 8, 2021, seconded by M. Bellanger; S. Walsh, J.
81 Doubrava and M. Bellanger voted to approve as motioned.

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83 ISSUANCES:

84 S. Walsh motioned to issue an Order of Conditions for Arthur Solomon,
85 538 Point Road Map 6, Lot 38 – Notice of Intent DEP SE 041-1380,
86 seconded by M. Bellanger; S. Walsh, J. Doubrava, and M. Bellanger voted
87 to approve as motioned.

88

89 Motion made by J. Doubrava to adjourn at 7:45pm, seconded by M.
90 Bellanger; J. Doubrava, S. Walsh, M. Bellanger voted to approve as
91 motioned.

92 Submitted by Terri Santos, Administrative Assistant

93 Approved: 01/12/2022

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RCVD MARION TOWN CLERK
2022 MAR 11 PM2:01